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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 NORGAL SEATTLE PARTNERSHIP,

10 Plaintiff,

11 v.

12 NATIONAL SURETY CORPORATION,  
13 *et al.*,

14 Defendants.

Case No. C11-0720RSL

ORDER TO SHOW CAUSE

15 This matter comes before the Court *sua sponte*. On April 27, 2011,  
16 defendant National Surety Corporation removed this matter from state court alleging that  
17 this Court has jurisdiction based on the diversity of citizenship of the parties. See 28  
18 U.S.C. § 1332(a) (establishing that the federal court’s basic diversity jurisdiction extends  
19 to “all civil actions where the matter in controversy exceeds . . . \$75,000 . . . and is  
20 between . . . citizens of different States.”). “For a case to qualify for federal jurisdiction  
21 under 28 U.S.C. § 1332(a), there must be complete diversity of citizenship between the  
22 parties opposed in interest.” Kuntz v. Lamar Corp., 385 F.3d 1177, 1181 (9th Cir. 2004)  
23 (internal citation omitted). In examining whether complete diversity is present, the  
24 citizenship of a partnership is determined by examining the citizenship of the partners,  
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1 owners, or members. See Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894,  
2 899 (9th Cir. 2006) (holding that “like a partnership, an LLC is a citizen of every state of  
3 which its owners/members are citizens.”).

4 In its Notice of Removal, defendant fails to allege the citizenship of each  
5 partner, owner, or member of the plaintiff entity. Nor are the missing jurisdictional facts  
6 supplied in plaintiff’s complaint. Therefore, defendant has failed to meet its burden to  
7 establish the basis of the Court’s jurisdiction. See Indus. Tectonics, Inc. v. Aero Alloy,  
8 912 F.2d 1090, 1092 (9th Cir. 1990) (“The party asserting jurisdiction has the burden of  
9 proving all jurisdictional facts”); Fed R. Civ. P. 12(h)(3) (“If the Court determines at any  
10 time that it lacks subject-matter jurisdiction, the court must dismiss the action”).

11 Defendant is hereby ORDERED TO SHOW CAUSE why the Court  
12 should not dismiss this action for lack of subject matter jurisdiction under Fed. R. Civ. P.  
13 12(h)(3). Defendant shall, on or before June 24, 2011, provide the Court with the  
14 citizenship of all of the partners, owners, or members of Norgal Seattle Partnership at the  
15 time the complaint was filed. The Clerk of the Court is directed to place this order to  
16 show cause on the Court’s calendar for June 24, 2011.

17 Dated this 9th day of June, 2011.  
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21 Robert S. Lasnik  
22 United States District Judge  
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